



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Continuation of Public Hearing to receive public comments on the Final Draft of the Regional Household Hazardous Waste Element (RHWE).

MEETING DATE: August 19, 1992

PREPARED BY: Assistant City Manager

- RECOMMENDED ACTION:
- a) That City Council receive any further public comments on the Final Draft Household Hazardous Waste Element
 - b) That City Council adopt the Resolution Requesting the Formation of a County Service Area for the Purpose of Providing a Household Hazardous Waste Program for Area Residents. and Consenting to the Inclusion of the City of Lodi in the Aforementioned County Service Area

BACKGROUND INFORMATION: The City Clerk indicates the public hearing on this subject was not formally closed at the last meeting of August 5, 1992. Council may wish to conclude this public hearing today.

At the last meeting, Council asked its representative to the County Integrated Waste Management Local Task Force, Councilmember Sieglock, to discuss various points with the Task Force which were raised during the meeting. He has done this and is prepared to discuss his findings today. The Lodi Solid Waste Management Task Force met August 17, to discuss the Household Hazardous Waste Element. Minutes of this meeting will be provided to Council today. Kirk Evans can discuss deliberations in further detail if necessary. A representative from California Waste Removal Systems will be present to provide their perspective.

We must emphasize the need to be a part of the county-wide plan. The costs, risks and potential liabilities associated with "going it alone" are too great. A number of years ago the City Council wisely recognized the liabilities of operating a sanitary landfill and relinquished that burden to the county. whether or not the County is operating that landfill more economically than the City is not the central question. They have a large enough operation to hire specialists to assure all the state and federal mandates are being followed and they are responsible. Think for a moment the problems associated with closing the old landfill and purchasing and opening a new one. Just recently we saw the pitfalls of responsibility with the DBCP transformers. By joining a county service area the responsibility is passed on to the County.

APPROVED: _____

THOMAS A. PETERSON
City Manager



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Continuation of Public Hearing to receive public comments on the Final Draft of the Regional Household Hazardous Waste Element (RHWE)

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August 19, 1992

We have contacted Dave Vaccarezza, owner of California Waste, to determine if it is feasible for him to become involved in handling the City's Household Hazardous Waste Program. He responded that it is not feasible for the City nor California Waste to do this.

California Waste's transfer station is not licensed to handle hazardous waste of any kind. As a matter of fact, in the not too distant past Mr. Vaccarezza petitioned the City to amend his franchise to exclude hazardous and biological waste. To be licensed for handling hazardous waste would require four additional state agencies to be involved. Mr. Vaccarezza estimates his liability and workers' compensation insurance alone would increase by at least \$72,000 per year. We have attached his letter (Exhibit A) to the Lodi City Council of August 11, 1992 supporting a county-wide plan.

No one will deny that the cost of operating a daily collection event is very high. However, it should be kept in mind that Lodi's share of the financing required to implement the proposed Regional Element, is not exclusively for daily collection events. Lodi will also be involved in a regional public education program (eg. television and radio advertisements, etc.) aimed at encouraging citizens to generate less household hazardous waste. The Household Hazardous Waste Element also includes a regional Permanent/Mobile Collection Facility which will enhance the cost effectiveness of the daily collection events and will provide residents with an alternative if they can not wait for a daily collection event. This facility is not a disposal or treatment facility; it acts more like a transfer station. The proposed \$4.60 annual fee will cover the cost of operating all of these programs.

There are a number of means of funding the county service area. The two most viable are an addition to the refuse bill or an addition to the property tax. There are pros and cons of each.

A. ADD TO REFUSE BILL

This technique has the advantage of the householder paying directly for the cost of the service. In most cases the single-family home will generate the most household hazardous waste. Homeowners, rather than tenants, tend to be those with paint, insecticides, etc. The monthly revenue would have to net \$5.333 per month. The actual charge would have to be greater than \$.333 per month to cover vacancies and non-payment.

There are a number of disadvantages of this technique. The City becomes involved in the collection process and would ultimately be responsible for paying the cost. This fee is a monthly irritant or reminder of this fee and the City would be the one receiving the complaints. Lastly, if this fee is in the form of a surcharge on the refuse bill it is not tax deductible.

Continuation of Public Hearing to receive public comments on the Final Draft of
the Regional Household Hazardous Waste Element (HHWE).
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August 19, 1992

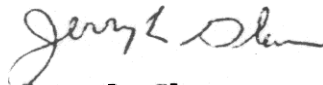
B. ADD TO TAX BILL

If the fee is added to the tax bill the collection process is much simplified from the City's point we will not be involved, and the cost is completely tax deductible. The landowner in the case of apartments can, if they choose to, pass this cost directly to the apartment owner.

Either system will work - staff recognizes the philosophical differences involved in this decision - but it should be pointed out that it is a less onerous burden to the City operations to have this fee paid as part of the tax bill.

FUNDING: not applicable.

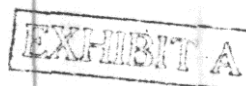
Respectfully submitted,



Jerry L. Glenn
Assistant City Manager

Prepared by Kirk J. Evans
Administrative Assistant to the City Manager

JLG:KJE:tp



August 11, 1992

The Honorable Members of
The Lodi city Council
City of Lodi
Post Office Box 3006
Lodi, CA 95241-1910

Re: Household Hazardous Waste Program

Dear **Members** of the Council:

On August 5, 1992, the Council received public comments on the Final Draft of the Regional Household Hazardous Waste Element (HHWE) which involves participation by Lodi in a San Joaquin County wide program. Many items were discussed, including the City of Lodi sponsoring its own household hazardous waste program separate from the County, or California Waste Removal Systems conducting a program as the contractor for the City of Lodi.

In light of those discussions, I have had the opportunity to review the plan, and the liabilities associated with such a plan go far beyond the scope of work we have been contracted to do. Quite frankly, this is not really an area we specialize in, nor do we care to take it on as an additional responsibility. Furthermore, we do not hold the necessary permits or carry adequate liability insurance to cover pollution control areas such as these. We feel that projects involving such extremely sensitive issues are best handled by professionals in the household hazardous waste field.

After reviewing the Final Draft of the HHWE, we believe that it has the following basic points that are extremely viable at this point in time:

1. It provides the solution to a very serious problem;
2. It relieves the City of the collection obligation as well as the obligation to educate the public;
3. It relieves the City of a major portion of the liability associated with this type of a project; and
4. It provides a valuable program for an extremely economical cost of \$4 per year.

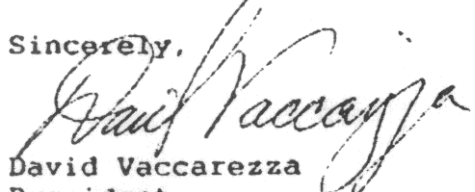
Your alternative to approving the County-wide plan would be to hire an outside contractor who specializes in the disposal of household hazardous waste. However, it has been my experience through contacts with other cities and other refuse haulers that the economics of using specialists may be cost prohibitive.

California
waste
removal systems

Lodi city Council
August 11, 1991
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In summary, I believe the county-wide plan is the best environmental and economic option available to the City of Lodi at this time. I would endorse the plan and have no problem recommending your approval of it. If you would like to discuss this further, please do not hesitate to contact me directly.

Sincerely,


David Vaccarezza
President

avm
hhw

cc: Mr. Tom Peterson
Mr. Jerry Glenn
Mr. Tom Horton
Mr. Gene Delucchi

RESOLUTION NO. 92-147

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A RESOLUTION OF THE LODI CITY COUNCIL
REQUESTING THE FORMATION OF A COUNTY SERVICE AREA FOR
THE PURPOSE OF PROVIDING A HOUSEHOLD HAZARDOUS WASTE PROGRAM
FOR AREA RESIDENTS, AND CONSENTING TO THE INCLUSION OF THE
CITY OF LODI IN THE AFOREMENTIONED COUNTY SERVICE AREA,
AND ADOPTING THE REGIONAL HOUSEHOLD HAZARDOUS WASTE ELEMENT (HHWE)

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WHEREAS, the Integrated Waste Management Act of 1989 requires
that local jurisdictions establish a household hazardous waste program;
and

WHEREAS, the County of San Joaquin and the incorporated Cities
within said County have determined to establish a household hazardous
waste program on a regional basis;

NOW, THEREFORE, BE IT RESOLVED, that the City of Lodi requests
the formation of a County Service Area comprising the unincorporated
areas of the County and those Cities within the County consenting to be
included, for the purpose of providing a regional household hazardous
waste program for area residents; and

FURTHER RESOLVED, that the City of Lodi consents to be included
in said County Service Area; and

BE IT FURTHER RESOLVED, that the City of Lodi hereby adopts the
Regional Household Hazardous Waste Element (HHWE).

Dated: August 19, 1992

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I hereby certify that Resolution No. 92-147 was passed and
adopted by the Lodi City Council in a regular meeting held August 19,
1992 by the following vote:

Ayes: Council Members -

Noes: Council Members -

Absent: Council Members -

Alice M. Reimche
City Clerk

92-147

RESOLUTION NO. 92-147

A RESOLUTION OF THE LODI CITY COUNCIL
REQUESTING THE FORMATION OF A COUNTY SERVICE AREA FOR
THE PURPOSE OF PROVIDING A HOUSEHOLD HAZARDOUS WASTE PROGRAM
FOR AREA RESIDENTS, AND CONSENTING TO THE INCLUSION OF THE
CITY OF LODI IN THE AFOREMENTIONED COUNTY SERVICE AREA,
AND ADOPTING THE REGIONAL HOUSEHOLD HAZARDOUS WASTE ELEMENT (HHWE)

WHEREAS, the Integrated Waste Management Act of 1989 requires that local jurisdictions establish a household hazardous waste program; and

WHEREAS, the County of San Joaquin and the incorporated Cities within said County have determined to establish a household hazardous waste program on a regional basis;

NOW, THEREFORE, BE IT RESOLVED, that the City of Lodi requests the formation of a County Service Area comprising the unincorporated areas of the County and those Cities within the County consenting to be included, for the purpose of providing a regional household hazardous waste program for area residents; and

FURTHER RESOLVED, that the City of Lodi consents to be included in said county Service Area; and

BE IT FURTHER RESOLVED, that the City of Lodi hereby adopts the Regional Household Hazardous Waste Element (HHWE).

Dated: August 19, 1992

I hereby Certify that Resolution No. 92-147 was passed and adopted by the Lodi City Council in a regular meeting held August 19, 1992 by the following vote:

Ayes: council Members - Pennino, Snider and Pinkerton (Mayor)

Noes: council Members - Hinchman and Sieglock

Absent: Council Members - None


Alice M. Reimche
City Clerk

92-147

RES92147/TXTA.02J